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1 **DIAMOND MCCARTHY LLP**

2 909 Fannin, Suite 1500
 Houston, Texas 77010
 Telephone (713) 333-5100
 Facsimile (713) 333-5199

3 Allan B. Diamond, TX State Bar No. 05801800
 Email: adiamond@diamondmccarthy.com
 Eric D. Madden, TX State Bar No. 24013079
 Email: emadden@diamondmccarthy.com

4 Special Litigation Counsel for USACM Liquidating Trust

5 **LEWIS AND ROCA LLP**

6 3993 Howard Hughes Parkway, Suite 600
 Las Vegas, NV 89169-5996
 Telephone (702) 949-8320
 Facsimile (702) 949-8321

7 Susan M. Freeman, AZ State Bar No. 004199
 Email: sfreeman@lrlaw.com
 Rob Charles, NV State Bar No. 006593
 Email: rcharles@lrlaw.com

8 Counsel for USACM Liquidating Trust

9 **UNITED STATES BANKRUPTCY COURT**
 10 **DISTRICT OF NEVADA**

11 In re:

12 USA COMMERCIAL MORTGAGE
 COMPANY,

13 USA CAPITAL REALTY ADVISORS,
 LLC,

14 USA CAPITAL DIVERSIFIED TRUST
 DEED FUND, LLC,

15 USA CAPITAL FIRST TRUST DEED
 FUND, LLC,

16 USA SECURITIES, LLC, Debtors.

17 **Affects:**

18 All Debtors
 USA Commercial Mortgage Company
 USA Capital Realty Advisors, LLC
 USA Capital Diversified Trust Deed Fund, LLC
 USA Capital First Trust Deed Fund, LLC
 USA Securities, LLC

Case No. BK-S-06-10725-LBR
 Case No. BK-S-06-10726-LBR
 Case No. BK-S-06-10727-LBR
 Case No. BK-S-06-10728-LBR
 Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
 BK-S-06-10725 LBR

**MOTION FOR ORDER REQUIRING
 MARY ANTINORA TO PRODUCE
 DOCUMENTS AND FOR
 EXAMINATION TO APPEAR
 PURSUANT TO FEDERAL RULE
 OF BANKRUPTCY PROCEDURE
 2004**

[No hearing required]

22 Pursuant to Federal Rule of Bankruptcy Procedure 2004, the USACM Liquidating
 23 Trust (the "Trust" or "Movant") hereby moves this Court for an order requiring Mary
 24 Antinora ("Antinora") to produce documents and to appear for examination at the office of
 25 Chicago Title, 560 E. Hospitality Lane, San Bernardino, California 92408, on January 25,
 26

1 2008 at 9:00 a.m., or at such other mutually agreeable location, date, and time, and
2 continuing from day to day thereafter until completed, as set forth in the subpoena to be
3 issued under Federal Rule of Bankruptcy Procedure 9016.
4

5 This Motion is further explained in the following Memorandum.

6 **Memorandum**

7 The Trust seeks information concerning various transactions between Orange Coast
8 Title (“Orange Coast”) and USACM, the other debtors in the above-captioned cases
9 (together with USACM, the “Debtors”), and the Debtors’ affiliates, subsidiaries, parents,
10 or otherwise related entities. Orange Coast was one of several title companies that served
11 as escrow agents in the loan transactions between the Debtors and their borrowers.
12

13 Antinora was the officer who handled the vast majority of these transactions for
14 Orange Coast. She is no longer employed by Orange Coast. Orange Coast is in the
15 process of producing their records pursuant to a separate Rule 2004 subpoena; however,
16 representatives from Orange Coast have stated that there is no one other than Antinora
17 who can adequately testify regarding the majority of the transactions.
18

19 The Trust seeks this information from the Antinora to assist in the collection of the
20 assets and the investigation of the liabilities of the Debtors.
21

22 The requested discovery from Orange Coast is within the scope of examination
23 permitted under Bankruptcy Rule 2004, which includes:
24

25 [t]he acts, conduct, or property or . . . the liabilities and financial condition
26 of the debtor, or . . . any matter which may affect the administration of the
debtor’s estate, or to the debtor’s right to a discharge. In a . . .
reorganization case under chapter 11 of the Code, . . . the examination may
also relate to the operation of any business and the desirability of its
continuance, the source of any money or property acquired or to be acquired

1 by the debtor for purposes of consummating a plan and the consideration
2 given or offered therefore, and any other matter relevant to the case or to the
formulation of a plan.¹

3 **Conclusion**
4

5 Accordingly, the Trust requests that this Court enter the form of order submitted
6 with this Motion.

7 Dated: January 8, 2008.
8

9 **DIAMOND MCCARTHY LLP**

10 **LEWIS AND ROCA LLP**

11 By: /s/ Eric D. Madden
12 Allan B. Diamond, TX 05801800 (pro hac vice)
13 William T. Reid, IV, TX 00788817 (pro hac vice)
14 Eric D. Madden, TX 24013079 (pro hac vice)
15 909 Fannin, Suite 1500
Houston, Texas 77010
(713) 333-5100 (telephone)
(713) 333-5199 (facsimile)

16 *Special Litigation Counsel for*
17 *USACM Liquidating Trust*

18 By: /s/ Rob Charles
19 Susan M. Freeman, AZ 4199 (pro hac vice)
20 Rob Charles, NV 6593
21 3993 Howard Hughes Parkway, Suite 600
22 Las Vegas, Nevada 89169-5996
23 (702) 949-8320 (telephone)
24 (702) 949-8321 (facsimile)

25 *Counsel for USACM Liquidating Trust*

26 ¹ FED.R. BANKR. P. 2004(b).